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2 Susan M Didriksen, Chapter 7 Trustee PO Box 1460 Shingle Springs, CA 95682

E-mail: didriksen1@gmail.com

Tel: (530)232-6119

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re: Case No. 11-42539-C-7 DCN: SMD - 1

TIMOTHY CHARLES SWEENEY

Debtor(s).

DATE: May 7, 2013 TIME: 9:30 a.m.

LOCATION: 501 I Street, 6<sup>th</sup> Floor

Department C

Courtroom 35 (6<sup>th</sup> Floor) Sacramento, CA 95814

## DECLARATION OF SUSAN DIDRIKSEN IN SUPPORT OF MOTION TO SELL PROPERTY OF THE ESTATE (11 U.S.C. §363)

## I, SUSAN DIDRIKSEN, declare that:

- 1. This case was commenced by the filing of a voluntary Chapter 7 petition by the Debtor on September 19, 2011. I am the duly appointed <u>successor</u> Chapter 7 Trustee. If called as a witness, I could and would competently testify to the matter set forth in this declaration, unless otherwise stated.
- 2. The Debtor's Schedule A filed on or about September 19, 2011 listed the following interests in real property:
  - a. 324 1st Street, Marysville, CA
    - i. Market value of \$150,000 and secured interests of \$138,000.
- 3. The Debtor's Schedule D filed on or about September 19, 2011 listed four deeds of trust encumbering the property for a total of \$138,000:
  - a. Henry Baer \$34,500

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- b. Kristie Vetterlie \$34,500
- c. Martin Levansin \$34,500
- d. Paris Hawkins \$34,500
- 4. The Debtor's Schedule C filed on or about September 19, 2011 claimed monetary exemption \$703.140(b)(5) pertaining to the real property in the amount of \$0.00:
- 5. The property was listed for sale for approximately one year with no viable offers over the encumbrances.
- 6. I have investigated the properties' values and have determined that they are overencumbered and no equity exists in them.
- 7. In my opinion, the proposed sale is in the best interest of the estate because it will generate some funds for distribution to unsecured creditors in an otherwise insolvent estate.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed at Shingle Springs, California, on April 16, 2013.

Respectfully submitted,

/s/ Susan M. Didriksen Susan M. Didriksen, Chapter 7 Trustee